



**SO ORDERED.**

**SIGNED this 8 day of December, 2021.**

**David M. Warren**  
**United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**HELEN DENISE ROBINSON,  
  
DEBTOR**

**CASE NO. 21-02060-5-DMW  
CHAPTER 13**

**ORDER OVERRULING CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM AND  
GRANTING DEBTOR'S REQUEST FOR ATTORNEY'S FEES**

This matter comes before the Court upon the Objection to Claim filed by the Chapter 13 Trustee (Doc 20) and the Debtor's Response (Doc 22). The Court held a hearing on the matter on November 10, 2021, at which counsel for the Trustee and for the Debtor appeared. Based on the pleadings, the record, and the statements of the parties, the Court finds and concludes as follows:

1. The Chapter 13 Trustee filed an Objection to Court Claim No. 4 of Westlake Services, LLC, asserting that the creditor had not attached sufficient documentation to the claim to establish its properly perfected security interest in the Debtor's property and that the claim should be disallowed as a secured claim.

2. The Debtor filed a Response to the Objection and provided Lien Detail documentation from the North Carolina Division of Motor Vehicles verifying the creditor's perfected security interest and requesting reasonable attorney fees to be taxed against the claim of the creditor.

3. At the hearing counsel for the Trustee indicated that the Debtor's Response resolved the Objection and that the claim was entitled to its secured classification.

4. There is good cause to award the Debtor's counsel a reasonable fee to be taxed against the creditor's claim for performing the necessary work to resolve the Objection.

**ACCORDINGLY, IT IS HEREBY ORDERED as follows:**

A. The Chapter 13 Trustee's Objection to Claim No. 4 of Westlake Services, LLC (Doc 20) is overruled;

B. The Debtor's counsel is awarded a non-base fee of \$500.00 for having to provide proof of the Creditor's properly perfected lien and for attending the hearing on the Trustee's objection. The fee is to be paid through the Chapter 13 Trustee as an administrative priority claim; and

C. Claim No. 4 of Westlake Services, LLC shall be reduced by \$500.00 in its secured amount and the Chapter 13 Trustee shall adjust disbursements in the Plan as appropriate to carry out the terms of this Order.

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